

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
Fort Collins, Colorado 80527-2400

RECEIVED
CENTRAL FAX CENTER

SEP 12 2005

PATENT APPLICATION

ATTORNEY DOCKET NO. 200312716-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Steven S. Homer et al

Confirmation No.: 8243

Application No.: 10/661717

Examiner: Anthony O. Edwards

Filing Date: Sep 12, 2003

Group Art Unit: 2835

Title: Computer With Adjustable Display

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Sir:

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on July 12, 2005.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

() (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

() one month	\$120.00
() two months	\$450.00
() three months	\$1020.00
() four months	\$1590.00

RECEIVED
OIPE/IAP

SEP 13 2005

() The extension fee has already been filed in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

() I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: _____

OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300 on Sept 12, 2005.

Number of pages: 23

Typed Name: Carrie McKenney

Signature: 

Respectfully submitted,

Steven S. Homer et al

By 

Philip S. Lyren

Attorney/Agent for Applicant(s)

Reg. No. 40,709

Date: Sept. 12, 2005

Telephone No.: 281-514-8236

REV 12/04 (A)B609

RECEIVED
CENTRAL FAX CENTER

SEP 12 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Steven S. Homer, et al.	Examiner:	Anthony Q. Edwards
Serial No.:	10/661,717	Group Art Unit:	2835
Filed:	September 12, 2003	Docket No.:	200312716-1
Title:	Computer with Adjustable Display		

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Appeal Brief is filed in response to the Final Office Action mailed June 2, 2005 and the Notice of Appeal filed on July 12, 2005.

AUTHORIZATION TO DEBIT ACCOUNT

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's deposit account no. 08-2025.

09/13/2005 SFELEKE1 00000089 082025 10661717

01 FC:1402 500.00 DA

Serial No.: 10/661,717
Appeal Brief

I. REAL PARTY IN INTEREST

The real party-in-interest is the assignee, Hewlett-Packard Development Company, L.P., a Texas Limited Partnership having its principal place of business in Houston, Texas.

II. RELATED APPEALS AND INTERFERENCES

There are no known related appeals or interferences known to appellant, the appellant's legal representative, or assignee that will directly affect or be directly affected by or have a bearing on the Appeal Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Claims 1 – 21 and 23-27 stand finally rejected. Claim 22 is objected to. The rejection of claims 1 – 27 is appealed.

IV. STATUS OF AMENDMENTS

No amendments were made after receipt of the Final Office Action. All amendments have been entered.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The summary is set forth in four exemplary embodiments that correspond to independent claims 1, 8, 13, and 18. Discussions about elements and recitations of these claims can be found at least at the cited locations in the specification and drawings.

Claim 1

A computing system (FIGS. 1 and 2: [0021]), comprising:

a docking station having a base, a carrier separate from the base, and a nonlinear rigid mounting arm mechanically connecting the base to the carrier (FIGS. 1 and 2: [0021 – 0023]), wherein the mounting arm has a first end that pivotally connects to the base and a second end that pivotally connects to the carrier (FIG. 3: [0032]);

an electronic display removably connectable to the carrier (FIGS. 1 and 2: [0024 – 0025]); and

Serial No.: 10/661,717
Appeal Brief

a keyboard in communication with the display (FIGS. 1 and 2: [0026]).

Claim 8

A portable computer (FIGS. 8 – 11: [0043]), comprising:

a base having a central processing unit and memory (FIGS. 1 and 2: [0023]);

a display having a screen, wherein the display is movable between a horizontal position with respect to the base and a vertical position with respect to the base (FIGS. 3 – 5 and 8 – 11: [0034 – 0035], [0041 – 0042], and [0044]); and

an elongated mounting arm mechanically and electrically coupling the display to the base (FIG. 3: [0027 – 0031]), wherein the mounting arm has a first portion that horizontally supports the display and a second portion that vertically supports the display above a support surface (FIGS. 3 – 5: [0034 – 0042]).

Claim 13

A method, comprising:

providing a computer base housing electronic components (FIGS. 1 and 2: [0023]);

providing a computer display housing electronic components (FIGS. 1 and 2: [0024]);

mechanically attaching the base to the display with a curved mounting arm (FIG. 3: [0022] and [0027 – 0040]); and

adjusting the display to a vertical position such that a center of gravity of the display is between a first pivot point at the base and a second pivot point at the display (FIG. 3: [0035 – 0038]).

Claim 18

A computing system (FIGS. 1 and 2: [0021]), comprising:

a docking station comprising a base supportable on a support surface and housing electronic components, a carrier, and means for connecting the base to the carrier (FIGS. 1 – 3: [0021 – 0022] and [0032]);

Serial No.: 10/661,717
Appeal Brief

a display housing electronic components and mechanically connected to the carrier and electrically coupled to the base through the means for connecting (FIGS. 1 and 2: [0024 – 0025]); and

wherein the display is supportable off the support surface and above the base such that a center of gravity of the display is between two different and parallel axes that pass through two different rotational locations and that are normal to a support surface supporting the base (FIG. 3: [0035 – 0038]).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

I. Claims 8, 9, 11-21, and 23-27 are rejected under 35 USC § 102(b) as being anticipated by U.S. Patent 5,436,792 (hereinafter Leman).

II. Claims 1-7 and 10 are rejected under 35 USC § 103(a) as being unpatentable over Leman in view of U.S. Publication No. 2003/0021083 (hereafter Landry).

Serial No.: 10/661,717
Appeal Brief

VII. ARGUMENT

The rejection of claims 1 – 27 is improper, and Applicants respectfully requests withdraw of this rejection.

Applicants present ten separate arguments for various independent and dependent claims. Each of these arguments is separately argued below and presented with separate headings and sub-heading as follows:

I. Claim Rejections: 35 USC § 102

- A. Claims 8, 9, 11, 12, and 22 with claim 8 selected for discussion.
- B. Claims 13 – 17, with claim 13 selected for discussion.
- C. Claim 23.
- D. Claim 24.
- E. Claim 25.
- F. Claims 18 – 20 and 27, with claim 18 selected for discussion.
- G. Claim 26.
- H. Claim 21.

II. Claim Rejections: 35 USC § 103

- A. Claims 1 – 7, with claim 1 selected for discussion.
- B. Claim 10.

I. Claim Rejections: 35 USC § 102

Claims 8, 9, 11-21, and 23-27 are rejected under 35 USC § 102(b) as being anticipated by U.S. Patent 5,436,792 (hereinafter *Leman*). This rejection is traversed.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since *Leman* neither teaches nor suggests each element in claims 8, 9, 11-21, and 23-27, these claims are allowable over *Leman*.

Serial No.: 10/661,717
Appeal Brief

A. Claims 8, 9, 11, 12, and 22

Each of these claims recites numerous limitations that are not taught or suggested in Leman. Claim 8 is selected for discussion.

First, claim 8 recites that "the display is movable between a horizontal position with respect to the base and a vertical position with respect to the base." Thus, the display is movable between a horizontal position and a vertical position. The claim recites that both positions are "with respect to the base." Leman does not teach or suggest a display that is movable to both horizontal and vertical positions with respect to the base.

In rejecting claim 8, the Office Action cites element 10 of Leman as being the "base" of claim 8. With this designation in mind, Applicants respectfully ask the Appeal Board to review FIGS. 5 and 12 of Leman. In FIG. 12, the tray and display are in a horizontal position with respect to the base 10. In FIG. 5, though, the tray 16A is in a vertical position with respect to surface S. The tray 16A is not in a vertical position with respect to the base 10. FIGS. 5 and 12 show that the display of Leman cannot move to both horizontal and vertical positions with respect to the base. Claim 8 recites that the display is movable between a horizontal position with respect to the base and a vertical position with respect to the base.

Thus, Leman does not teach or suggest all the limitations in claim 8. For at least these reasons, Applicants respectfully ask the Appeal Board to overrule the rejection.

Second, claim 8 recites an elongated mounting arm, "wherein the mounting arm has a first portion that horizontally supports the display and a second portion that vertically supports the display above a support surface." Leman does not teach or suggest a mounting arm having a first portion that horizontally supports the display and a second portion that vertically supports the display above a support surface.

In rejecting claim 8, the Office Action cites element 12' in Leman as being the elongated mounting arm. The Office Action further cites the back-side of element 12' as the claimed first portion that horizontally supports the display (see FIG. 13) and the front-side of element 12' as the claimed second portion that vertically supports the display above a support surface (see FIG. 9). Applicants respectfully disagree with these arguments.

Serial No.: 10/661,717
Appeal Brief

As shown in FIGS. 9 and 13 of Leman, element 12' connects to a tray 16. The tray 16 holds the notepad computer 18' with display L (see col. 5, lines 3-9). FIG. 5 of Leman shows the tray in the vertical position. Notice that element 12' (argued as being the claimed mounting arm) does not vertically support the display above the support surface. In FIG. 5 of Leman, the tray 16 actually rests on the surface S. The display L, while in the tray, then, is actually supported on the support surface. Nowhere does Leman teach or suggest that element 12' can "vertically support[s] the display above a support surface."

Thus, Leman does not teach or suggest all the limitations in claim 8. For at least these reasons, Applicants respectfully ask the Appeal Board to overrule the rejection.

Dependent claims 9, 11-12, and 22 depend from claim 8 and thus inherit all the limitations of base claim 8. Thus, for at least the reasons given in connection with claim 8, dependent claims 9, 11-12, and 22 are also allowable over Leman.

Claim 22, which depends from claim 8, is allowable but is objected to as being dependent on a rejected claim base. Applicants include claim 22 in the grouping with claim 8.

B. Claims 13 - 17

Each of these claims recites numerous limitations that are not taught or suggested in Leman. Claim 13 is selected for discussion.

First, claim 13 recites "mechanically attaching the base to the display with a curved mounting arm" (emphasis added). Leman does not teach or suggest mechanically attaching the base to the display with a curved mounting arm. The Office Action contends this recitation is shown in the figures of Leman ("mechanically attaching the base (10') to the display (L) with a curved mounting arm (12')", see Final OA at p. 3). Applicants respectfully disagree. As shown in Fig. 9, the front surface of base member 12' is straight; and as shown in Fig. 13, the back surfaces (see 12A' and 12B') of the base member are also straight.

Second, the base member 12' in Leman does not even "attach to the display." As shown in FIG. 9 of Leman, the base 12' attaches to a tray 16. In Leman, the tray attaches

Serial No.: 10/661,717
Appeal Brief

to the display (see col. 3, lines 52-54). Thus, Leman does not teach or suggest that the base member 12' attaches to the display.

Third, claim 13 recites adjusting the display "such that a center of gravity of the display is between a first pivot point at the base and a second pivot point at the display" (emphasis added). Leman does not teach or suggest adjusting the display such that a center of gravity of the display is between a first pivot point at the base and a second pivot point at the display. The Office Action contends this recitation is shown in Fig. 10 of Leman ("the first pivot point is located at 112 and the second pivot point is located where the carrier (16/46) touches surface (S)", see Final OA at p. 3). Applicants respectfully disagree. As shown in Fig. 10, where carrier (16/46) touches surface (S) is not even a pivot point. Further, where carrier (16/46) touches surface (S) is not a pivot point at the display.

Thus, Leman does not teach or suggest all the limitations in claim 13. For at least these reasons, Applicants respectfully ask the Appeal Board to overrule the rejection.

Dependent claims 14-17 depend from claim 13 and thus inherit all the limitations of base claim 13. Thus, for at least the reasons given in connection with claim 13, dependent claims 14-17 are also allowable over Leman.

C. Claim 23

Claim 23 recites adjusting the display to the horizontal position such that the display is supported on the support surface and the curved mounting arm but not the computer base. Nowhere does Leman teach or suggest this limitation.

The Office Action cites Leman and states "See Fig. 11, which shows a horizontal position, in which the device is supported as claimed" (see Final OA at p. 5). Applicants respectfully disagree. FIG. 11 of Leman does not even show the display in a horizontal position. In this figure, the display is angled at approximately 45 degrees with respect to surface S.

Further, none of the figures in Leman show the display in a horizontal position such that the display is supported on the support surface and the curved mounting arm but not the computer base. In FIG. 12 of Leman, the display is in a horizontal position, but the display clearly is supported on the base member.

Serial No.: 10/661,717
Appeal Brief

Thus, Leman does not teach or suggest all the limitations in claim 23. For at least these reasons, Applicants respectfully ask the Appeal Board to overrule the rejection.

D. Claim 24

Claim 24 recites adjusting the display to the horizontal position such that the display is supported on the support surface and the computer base but not the curved mounting arm. Nowhere does Leman teach or suggest this limitation.

The Office Action cites Leman and states: "Since the display (L) is removable, the same ca [sic] be adjusted to a horizontal position as claimed by placing the display at the rear side of base (10') shown in See Fig. 12" (see Final OA at pl. 5). Applicants respectfully disagree. Claim 24 depends from claim 13 which recites "mechanically attaching the base to the display with a curved mounting arm." The Office Action ignores this limitation by removing the display to meet the limitations of claim 24.

Further, while arguing the limitations of claim 13, the Office Action previously stated that element 12' was the claimed "curved mounting arm" (see Final OA at p. 3). Even assuming *arguendo* that element 12' is a curved mounting arm (which it is not), FIG. 12 of Leman shows that the display is supported on element 12' while the display is in the horizontal position.

Thus, Leman does not teach or suggest all the limitations in claim 24. For at least these reasons, Applicants respectfully ask the Appeal Board to overrule the rejection.

E. Claim 25

Claim 25 recites wherein the display is positioned off a support surface when the display is adjusted to the vertical position. Nowhere does Leman teach or suggest this limitation.

The Office Action cites Leman and states "wherein the display is positioned off a support surface (i.e., the display is in the carrier, not directly positioned on the surface) when the display is adjusted to the vertical position ..." (see Final OA at p. 5). Applicants respectfully disagree. FIG. 5 of Leman shows the tray in the vertical position. As shown, the tray (and corresponding display if inserted into the tray) is clearly positioned on

Serial No.: 10/661,717
Appeal Brief

surface S. If the tray 16A were positioned off surface S, then the apparatus in Leman would fall over.

Thus, Leman does not teach or suggest all the limitations in claim 25. For at least these reasons, Applicants respectfully ask the Appeal Board to overrule the rejection.

F. Claims 18 – 20 and 27

Each of these claims recites numerous limitations that are not taught or suggested in Leman. Claim 18 is selected for discussion.

First, claim 18 recites recites (emphasis added):

wherein the display is supportable off the support surface and above the base such that a center of gravity of the display is between two different and parallel axes that pass through two different rotational locations and that are normal to a support surface supporting the base.

Leman does not teach or suggest wherein the display is supportable off the support surface and above the base. FIGS. 5, 7, and 10 of Leman show the display positioned on the support surface S. If the tray 16A were positioned off surface S, then the apparatus in Leman would fall over.

Further, Applicants contend that the Office Action actually admits that the display in Leman is supported on the support surface. The Office Action states: "See Fig. 10, wherein axis (1) is located at the point in which carrier (16/46) touches surface (S) and axis (2) is located at 112" (emphasis added: See Final OA at p. 4). This admission is in direct contradiction with claim 18 that recites "wherein the display is supportable off the support surface and above the base"

Further yet, Leman does not teach or suggest that a center of gravity of the display is between two different and parallel axes that pass through two different rotational locations. The Office Action contends this recitation is shown in Fig. 10 of Leman ("wherein axis (1) is located at the point in which carrier (16/46) touches surface (S) and axis (2) is located at 112", see Final OA at p. 4). Applicants respectfully disagree. As

Serial No.: 10/661,717
Appeal Brief

shown in Fig. 10, where carrier (16/46) touches surface (S) is not a **rotational** location. Thus, Leman does not teach or suggest a display that is "between two different and parallel axes that pass through two different rotational locations."

Thus, Leman does not teach or suggest all the limitations in claim 18. For at least these reasons, Applicants respectfully ask the Appeal Board to overrule the rejection.

Dependent claims 19-20 and 27 depend from claim 18 and thus inherit all the limitations of base claim 18. Thus, for at least the reasons given in connection with claim 18, dependent claims 19-20 and 27 are also allowable over Leman.

G. Claim 26

Claim 26 recites wherein a first rotational location is at one end of the means for connecting and a second rotational location is at an **opposite end** of the means for connecting. Leman does not teach or suggest this recitation.

In rejecting claim 18, the Office Action cites element 12' of Leman as being the claimed "means for connecting." Element 12', however, does not have a first rotational location at one end, much less a second rotational location at an opposite end. As clearly shown in FIG. 13 of Leman, pivot member 72 connects to slot 98 of base member 12A'. This slot, however, is not located at an end of the base member 12A'.

Thus, Leman does not teach or suggest all the limitations of claim 26. For at least these reasons, Applicants respectfully ask the Appeal Board to overrule the rejection.

H. Claim 21

The Office Action rejects claim 21 as being anticipated by Leman (see Final OA at p. 5). Claim 21, however, depends from claim 1 which is not rejected under § 102 as being anticipated by Leman. In fact, the Office Action admits that Leman does not teach all the elements of claim 1: "Leman lacks the nonlinear rigid mounting arm having both a first end that pivotally connects to the base and a second end that pivotally connects to the carrier" (see Final OA at p. 6). Applicants agree. In light of this admission, Leman cannot teach all of the elements of claim 21 which depends from claim 1.

Thus, Leman does not teach or suggest all the limitations of claim 21. For at least these reasons, Applicants respectfully ask the Appeal Board to overrule the rejection.

Serial No.: 10/661,717
Appeal Brief

II. Claim Rejections: 35 USC § 103

Claims 1-7 and 10 are rejected under 35 USC § 103(a) as being unpatentable over Leman in view of U.S. Publication No. 2003/0021083 (hereafter Landry). Applicants respectfully traverse.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Applicants assert that the rejection does not satisfy these criteria.

A. Claims 1 – 7

Claim 1 is selected for discussion.

First, the Office Action contends that “Leman lacks the nonlinear rigid mounting arm having both a first end that pivotally connects to the base and a second end that pivotally connects to the carrier” (see Final OA at p. 6). Applicants agree with this admission. The Office Action, however, attempts to cure this deficiency with Landry. Applicants respectfully disagree. The proposed modification of Leman with Landry is not proper at least because no motivation or suggestion exists for this modification.

Leman explicitly teaches a single clutch mechanism that pivotally connects the main housing 10 to the base member 12 (see col. 4, lines 17-20):

A preferred embodiment of the control means is one way clutch mechanisms 26A, 26B, as best shown in FIGS. 1 and 8, that are provided on each side of the docking station D.

Leman further explains the importance and function of this single clutch mechanism (see col. 4, lines 65+):

Serial No.: 10/661,717
Appeal Brief

Therefore, this clutch mechanism prevents the docking station from inadvertently collapsing when in the upright position, such as due to forces imparted if the stylus 44 is used in this position, while allowing the docking station to be folded for storage or to the upright display position without the use of levers 42.

Neither Leman nor Landry provides a suggestion or motivation for altering the single clutch mechanism of Leman to a mounting arm having a first end that pivotally connects to the base and a second end that pivotally connects to the carrier. New elements and significant substitutions would have to be made to Leman to provide such a modification.

Further, no reasonable expectation of success has been established for modifying Leman to arrive at the recitations of claim 1. Leman specifically teaches a single clutch mechanism that "prevents the docking station from inadvertently collapsing when in the upright position" (col. 4, lines 65-67). If Leman were modified to have a mounting arm with first and second ends as recited in claim 1, then this modification would not yield a reasonable expectation of success for preventing the docking station from inadvertent collapse.

For at least these reasons, claim 1 is not obvious over Leman in view of Landry. Dependent claims 2-7 depend from claim 1 and thus inherit all the limitations of base claim 1. Thus, for at least the reasons given in connection with claim 1, claims 2-7 are also allowable over Leman in view of Landry.

B. Claim 10

No Suggestion or Motivation to Combine/Modify

The proposed modification of Leman with Landry is not proper at least because no motivation or suggestion exists for this modification.

Leman explicitly teaches a single clutch mechanism that pivotally connects the main housing 10 to the base member 12 (see col. 4, lines 17-20):

Serial No.: 10/661,717
Appeal Brief

A preferred embodiment of the control means is one way clutch mechanisms 26A, 26B, as best shown in FIGS. 1 and 8, that are provided on each side of the docking station D.

Leman further explains the importance and function of this single clutch mechanism (see col. 4, lines 65+):

Therefore, this clutch mechanism prevents the docking station from inadvertently collapsing when in the upright position, such as due to forces imparted if the stylus 44 is used in this position, while allowing the docking station to be folded for storage or to the upright display position without the use of levers 42.

Neither Leman nor Landry provides a suggestion or motivation for altering the single clutch mechanism of Leman to a mounting arm that "rotationally connects at a first end to the base and rotationally connects at a second end to the display" as recited in claim 10. New elements and significant substitutions would have to be made to Leman to provide such a modification.

Thus, the modification and/or combination of Leman and Landry is not proper. For at least these reasons, Applicants respectfully ask the Appeal Board to overrule the rejection.

No Reasonable Expectation of Success

The proposed modification of Leman with Landry is not proper at least because no reasonable expectation of success has been established for modifying Leman to arrive at the recitations of claim 10. Even if Leman and Landry are combined, the resulting combination will not work. Leman specifically teaches a single clutch mechanism that "prevents the docking station from inadvertently collapsing when in the upright position" (col. 4, lines 65-67). If Leman were modified to have a mounting arm that rotationally connects at a first end to the base and rotationally connects at a second end to the display as recited in claim 10, then this modification would not yield a reasonable expectation of

Serial No.: 10/661,717
Appeal Brief

success for preventing the docking station from inadvertent collapse. In other words, even if Leman and Laundry are combined, the resulting docking station of Leman will fall over.

As noted, Leman discusses the importance of a single clutch mechanism for its docking station. The embodiments of Leman cannot be modified to successfully have a dual mechanism that rotationally connects at both the base and display. Again, this modified embodiment of Leman would fall over.

Thus, no reasonable expectation of success exists for modifying Leman to arrive at the recitations of claim 10. For at least these reasons, claim 10 is not obvious over Leman in view of Landry.

Serial No.: 10/661,717
Appeal Brief

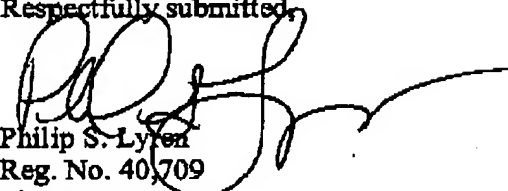
CONCLUSION

In view of the above, Applicants respectfully request the Board of Appeals to reverse the Examiner's rejection of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332. In addition, all correspondence should continue to be directed to the following address:

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Respectfully submitted,



Philip S. Lyren
Reg. No. 40,709
Ph: 281-514-8236

CERTIFICATE UNDER 37 C.F.R. 1.8

The undersigned hereby certifies that: this paper or papers, as described herein, is being transmitted to the United States Patent and Trademark Office facsimile number 571-273-8300 on this 12th day of September, 2005.

By 
Name: Carrie McKerley

Serial No.: 10/661,717
Appeal Brief

VIII. Claims Appendix

1. A computing system, comprising:
 - a docking station having a base, a carrier separate from the base, and a nonlinear rigid mounting arm mechanically connecting the base to the carrier, wherein the mounting arm has a first end that pivotally connects to the base and a second end that pivotally connects to the carrier;
 - an electronic display removably connectable to the carrier; and
 - a keyboard in communication with the display.
2. The computing system of claim 1 wherein the first end pivots about the base with a first rotational force, the second end pivots about the carrier with a second rotational force, and wherein the first rotation force is greater than the second rotational force.
3. The computing system of claim 1 wherein the mounting arm has an S shape in side view.
4. The computing system of claim 1 wherein the mounting arm is a single integrally formed member.
5. The computing system of claim 1 wherein the mounting arm has an elongated configuration with a generally curved portion and a generally straight portion.
6. The computing system of claim 1 wherein the mounting arm is hollow and electrically couples the base to the display when the display is connected to the carrier.
7. The computing system of claim 1 wherein the display, while connected to the carrier, is movable between at least four different positions comprising a horizontal landscape position, a horizontal portrait position, an upright landscape position, and an upright portrait position.

Serial No.: 10/661,717
Appeal Brief

8. A portable computer, comprising:
 - a base having a central processing unit and memory;
 - a display having a screen, wherein the display is movable between a horizontal position with respect to the base and a vertical position with respect to the base; and
 - an elongated mounting arm mechanically and electrically coupling the display to the base, wherein the mounting arm has a first portion that horizontally supports the display and a second portion that vertically supports the display above a support surface.
9. The portable computer of claim 8 wherein the first portion is curved and the second portion is straight.
10. The portable computer of claim 8 wherein the mounting arm rotationally connects at a first end to the base and rotationally connects at a second end to the display.
11. The portable computer of claim 8 wherein the base further comprises a stop mechanism to limit movement of the mounting arm about the base while the display is in the vertical position.
12. The portable computer of claim 8 wherein the display is adapted to function as a notepad while in the horizontal position and a view screen while in the vertical position.
13. A method, comprising:
 - providing a computer base housing electronic components;
 - providing a computer display housing electronic components;
 - mechanically attaching the base to the display with a curved mounting arm; and

Serial No.: 10/661,717
Appeal Brief

adjusting the display to a vertical position such that a center of gravity of the display is between a first pivot point at the base and a second pivot point at the display.

14. The method of claim 13 further comprising forming an angle with a front surface of the display relative to a normal axis with the base, the angle being between 10° and 40°.

15. The method of claim 14 further comprising:

adjusting the display to a horizontal position so the display rests on a support surface; and

forming triangular contact locations with the display and support surface.

16. The method of claim 15 further comprising:

forming a first contact location in a first corner of the display;

forming a second contact location in a second corner of the display; and

forming a third contact location on the mounting arm.

17. The method of claim 15 further comprising:

forming a first contact location in a first corner of the display;

forming a second contact location in a second corner of the display; and

forming a third contact location on the base.

18. A computing system, comprising:

a docking station comprising a base supportable on a support surface and housing electronic components, a carrier, and means for connecting the base to the carrier;

a display housing electronic components and mechanically connected to the carrier and electrically coupled to the base through the means for connecting; and

wherein the display is supportable off the support surface and above the base such that a center of gravity of the display is between two different and parallel axes that

Serial No.: 10/661,717
Appeal Brief

pass through two different rotational locations and that are normal to a support surface supporting the base.

19. The computing system of claim 18 wherein the means for connecting provides a curved mechanical connection between the base and the carrier.

20. The computing system of claim 19 wherein the means for connecting also provides a straight mechanical connection for supporting the display.

21. The computing system of claim 1 wherein the mounting arm has a curved portion that supports the display in a horizontal position and a straight portion that supports the display in a vertical position.

22. The portable computer of claim 8 wherein the display abuts the support surface and the first portion when the display is being horizontally supported.

23. The method of claim 13 further comprising adjusting the display to a horizontal position such that the display is supported on the support surface and the curved mounting arm but not the computer base.

24. The method of claim 13 further comprising adjusting the display to a horizontal position such that the display is supported on the support surface and the computer base but not the curved mounting arm.

25. The method of claim 13 wherein the display is positioned off a support surface when the display is adjusted to the vertical position such that the center of gravity of the display is between the first pivot point at the base and the second pivot point at the display.

Serial No.: 10/661,717
Appeal Brief

26. The computing system of claim 18 wherein a first rotational location is at one end of the means for connecting and a second rotational location is at an opposite end of the means for connecting.

27. The computing system of claim 18 wherein the means for connecting has a straight portion that abuts the display in a vertical position and a curved portion that abuts the display in a horizontal position.

Serial No.: 10/661,717
Appeal Brief

IX. EVIDENCE APPENDIX

None.

Serial No.: 10/661,717
Appeal Brief

X. RELATED PROCEEDINGS APPENDIX

None.